

1 Michael J. Miller, VA Bar No. 19171  
2 J. Christopher Ide , VA Bar No. 19307  
3 David C. Andersen, CA Bar No. 194095  
4 THE MILLER FIRM, LLC  
5 108 Railroad Avenue  
Orange, VA 22960  
Telephone: (540) 672-4224  
Facsimile: (540) 672-3055

6 Attorneys for Plaintiff

7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 (SAN FRANCISCO DIVISION)

11  
12 SIM MARCELIN, INDIVIDUALLY AND  
13 ON BEHALF OF ALBERTHA  
14 MARCELIN,

15 Plaintiff,  
16 v.  
17 PFIZER INC., PHARMACIA  
18 CORPORATION, and G.D. SEARLE, LLC,  
Defendants.

MDL NO. 1699

District Judge: Charles R. Breyer

STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE AS  
TO PLAINTIFFS SIM MARCELIN,  
INDIVIDUALLY AND ON BEHALF OF  
ALBERTHA MARCELIN

Case No. 06-CV-2441

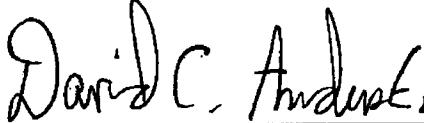
19  
20 Come now the Plaintiff and Defendants, by and through the undersigned attorneys,  
21 pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of  
22 Plaintiff, Sim Marcelin, individually and on behalf of Albertha Marcelin, deceased, from this  
23 action without prejudice with each side bearing its own attorney's fees and costs.

24 Should Plaintiff or a representative of Plaintiff attempt to re-file claim against  
25 Defendant's, they should do so only by re-filing in the United States District Court.

1 Dated: April 18, 2007

2 Respectfully submitted,

3 THE MILLER FIRM, LLC

4 By:   
5 DAVID C. ANDERSEN

6 Michael J. Miller, VA Bar No. 19171  
7 J. Christopher Ide, VA Bar No. 19307  
8 David C. Andersen, CA Bar No. 194095  
9 THE MILLER FIRM, LLC  
10 108 Railroad Avenue  
Orange, VA 22960  
Telephone: (540) 672-4224  
Facsimile: (540) 672-3055

11 Attorneys for Plaintiffs

12 Dated: May 14, 2007

13 Respectfully submitted,

14 GORDON & REES

15 By:   
16 STUART M. GORDON

17 CA Bar No. 37477  
18 GORDON & REESE  
19 275 Battery Street, Ste. 2000  
20 San Francisco, CA 94111  
21 Telephone: (415) 986-5900  
Facsimile: (415) 262-3801

22 Attorneys for Defendants

23 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS  
24 SO ORDERED

25 Dated: May 15, 2007

26 Hon. Charles R. Breyer  
27 United States District Court  
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